

of mailing dated February 6, 2002, a Response to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (5 pages) and all of the indicated enclosures that are listed on page 5 of the February 6, 2002 Response. The indicated enclosures included the following items: a copy of a December 6, 2001 document entitled "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" (2 pages); a document entitled "Sequence Listing" (8 pages); a computer-readable diskette; a document entitled "Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825" (2 pages); Appendix A (5 pages); Appendix B (5 pages); and Appendix C (1 page).

The February 6, 2002 Response was signed by the undersigned U.S. patent attorney (John Palmer, U.S. Registration No. 36,885); and this signature by the undersigned U.S. patent attorney applies to the February 6, 2002 Response and to all of the items that are listed as enclosures on page 5 of the February 6, 2002 Response. Therefore, the Applicants complied with the signature requirements that are set forth in 37 C.F.R. § 1.33(b), which is quoted in MPEP § 714.01(a). If the Examiner still believes that the February 6, 2002 Response does not comply with the signature requirements that are set forth in 37 C.F.R. § 1.33(b), then the Examiner should consult with the USPTO's Mr. Mark A. Spencer, who is the new person in charge of sequence listings at the USPTO, for a detailed explanation regarding why the February 6, 2002 Response complies with the signature requirements that are set forth in 37 C.F.R. § 1.33(b).

In the outstanding Office Action, the Examiner notes that the document entitled "Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825," which was enclosed with the February 6, 2002 Response, was signed by Mr. James Coburn, who

is not an Applicant and who is not a registered U.S. patent attorney or agent. As explained in the preceding paragraph, this "Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825" complies with the signature requirements that are set forth in 37 C.F.R. § 1.33(b) because it was submitted to the USPTO with the February 6, 2002 Response, which was signed by the undersigned U.S. patent attorney. Nevertheless, in order to expedite the allowance of the above-identified U.S. application, we are enclosing herewith a document entitled "Additional Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825," which was also signed by the undersigned U.S. patent attorney. The submission of the document entitled "Additional Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825" rectifies any alleged deficiency in the February 6, 2002 Response.

In the second paragraph on page 2 of the outstanding Office Action, the Examiner points out that all sequences in the specification must be identified by sequence I.D. numbers. Please note that the February 6, 2002 Response amends the specification of the above-identified U.S. application where necessary to identify all of the sequences by sequence I.D. numbers.

In view of the foregoing, the Examiner is respectfully requested to withdraw all of the objections and/or rejections in the outstanding Office Action. Favorable reconsideration of the above-identified U.S. application is respectfully requested. It is submitted that the claims of record are in condition for allowance. Allowance of the claims at an early date is solicited.

The Applicant reserves the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 C.F.R. § 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed; and the petition fee due in connection therewith may be charged to deposit account No. 12-0415.

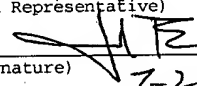
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

July 28, 2003

(Date of Deposit)

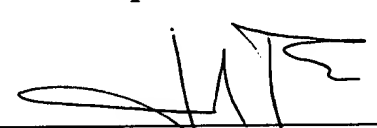
JOHN PALMER

(Name of Applicant, Assignee  
or Registered Representative)

(Signature) 

(Date) 7-28-03

Respectfully submitted,

  
John Palmer

Reg. No. 36,885

LADAS & PARRY

5670 Wilshire Boulevard

Suite 2100

Los Angeles, California 90036

(323) 934-2300

Encl.: A document entitled "Additional Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825" (3 pages)